## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

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DAWN VAN BRUNT,

Plaintiff,

V.

Case No. 3:19-cv-00170-BRM-TJB

WELLS FARGO BANK, N.A.,

Defendant.

**ORDER** 

THIS MATTER is before this Court on a Motion to Dismiss filed by Defendant Wells Fargo Bank, N.A. ("Wells Fargo" or "Defendant") seeking to dismiss Plaintiff Dawn Van Brunt's ("Plaintiff") First Amended Complaint ("FAC") pursuant to Federal Rules of Civil Procedure 12(b)(6) and 9(b). (ECF No. 34.) Plaintiff opposes the Motion. (ECF No. 36.) Having reviewed the submissions filed in connection with the Motion and having declined to hold oral argument pursuant to Federal Rule of Civil Procedure 78(b), for the reasons set in the accompanying Opinion and for good cause appearing,

IT IS on this 31st day of December 2020,

**ORDERED** that Defendant's Motion to Dismiss (ECF No. 34) is **GRANTED**; and it is further

**ORDERED** that Plaintiff is granted leave to file an amended complaint within twenty-one (21) days from the date of this order attempting to cure the deficiencies addressed in the accompanying Opinion. Failure to do so will result in the matter being dismissed with prejudice.

/s/ Brian R. Martinotti
HON. BRIAN R. MARTINOTTI
UNITED STATES DISTRICT JUDGE